

**UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

333 Constitution Avenue, NW  
Washington, DC 20001-2866  
Phone: 202-216-7000 | Facsimile: 202-219-8530

**AGENCY DOCKETING STATEMENT**

*Administrative Agency Review Proceedings (To be completed by appellant/petitioner)*

1. CASE NO. 18-1189 and 18-1194      2. DATE DOCKETED: 07/17/2018
3. CASE NAME (lead parties only) Colorado Symphony Association v. National Labor Relations Board
4. TYPE OF CASE: ☒ Review   ☐ Appeal   ☐ Enforcement   ☐ Complaint   ☐ Tax Court
5. IS THIS CASE REQUIRED BY STATUTE TO BE EXPEDITED? ☐ Yes   ☒ No  
If YES, cite statute \_\_\_\_\_
6. CASE INFORMATION:
  - a. Identify agency whose order is to be reviewed: National Labor Relations Board
  - b. Give agency docket or order number(s): 27-CA-140724, 155238, 161339, 179032, 168029
  - c. Give date(s) of order(s): July 3, 2018
  - d. Has a request for rehearing or reconsideration been filed at the agency? ☐ Yes   ☒ No  
If so, when was it filed? \_\_\_\_\_ By whom? \_\_\_\_\_  
Has the agency acted? ☐ Yes   ☐ No   If so, when? \_\_\_\_\_
  - e. Identify the basis of appellant's/petitioner's claim of standing. See D.C. Cir. Rule 15(c)(2):  
Petitioner has standing pursuant to 29 U.S.C. § 160(f) to seek review of the NLRB decision and  
Order finding that Petitioner violated the National Labor Relations Act.
  - f. Are any other cases involving the same underlying agency order pending in this Court or any other?  
☒ Yes   ☐ No If YES, identify case name(s), docket number(s), and court(s)  
NLRB's Petition to Enforce, Case No. 18-1194, US Ct of Appeals for District of Columbia Circuit
  - g. Are any other cases, to counsel's knowledge, pending before the agency, this Court, another Circuit Court, or the Supreme Court which involve *substantially the same issues* as the instant case presents?  
☐ Yes   ☒ No If YES, give case name(s) and number(s) of these cases and identify court/agency: \_\_\_\_\_
  - h. Have the parties attempted to resolve the issues in this case through arbitration, mediation, or any other alternative for dispute resolution? ☐ Yes   ☒ No If YES, provide program name and participation dates. \_\_\_\_\_

Signature \_\_\_\_\_

Date 08/17/2018Name of Counsel for Appellant/Petitioner Patrick R. Scully, Sherman & Howard L.L.C.Address 633 17th Street, Suite 3000, Denver, CO 80202E-Mail pscully@shermanhoward.comPhone ( 303 ) 299-8218Fax ( 303 ) 298-0940

**ATTACH A CERTIFICATE OF SERVICE**

**Note:** If counsel for any other party believes that the information submitted is inaccurate or incomplete, counsel may so advise the Clerk within 7 calendar days by letter, with copies to all other parties, specifically referring to the challenged statement.

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on this 17<sup>th</sup> day of August, 2018, I electronically filed the foregoing **AGENCY DOCKETING STATEMENT** with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Linda Dreeben, Deputy Associate General Counsel  
Elizabeth Heaney, Attorney  
Greg Lauro, Attorney  
National Labor Relations Board  
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I further certify that on this 17<sup>th</sup> day of August, 2018, I electronically served a copy of the above **AGENCY DOCKETING STATEMENT** upon the following:

Paula S. Sawyer, Regional Director *[via email]*  
Michelle Devitt, Esq. *[via email]*  
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*s/ Lynn Zola Howell*

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